Supreme Court, U.S.
FILED
SEP 28 1987
JOSEPH F. SPANIOL, JR.
CLERK

87-1088

CASE NO. _____

IN THE
UNITED STATES SUPREME COURT
TERM OF COURT BEGINNING OCT. 5, 1987

CLARA C. BULLARD, PRO SE
Appellant/Petitioner

vs.

HELEN L. NORTHCUTT, PAUL E. NORTHCUT, NORTHCUTT, RALEY, CLARK & GARDNER
Appellees/Respondents

WRIT OF CERTIORARI
ON APPEAL FROM UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT
Case No. 87-1088

PETITION FOR WRIT OF CERTIORARI

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EDITOR'S NOTE

THE FOLLOWING PAGES WERE POOR HARD COPY AT THE TIME OF FILMING. IF AND WHEN A BETTER COPY CAN BE OBTAINED, A NEW FICHE WILL BE ISSUED.

UNITED STATES SUPREME COURT
TERM BEGINNING OCT 5, 1987

CLARA C. BULLARD, Appellant/Petitioner, vs. HELEN L. NORTHCUTT, PAUL E. NORTHCUTT, NORTHCUTT, RALEY, CLARK & GARDNER, Appellees/Respondents.	PETITION FOR WRIT OF CERTIORARI

QUESTIONS PRESENTED FOR REVIEW

1. Was Judge Patrick F. Kelly's Order, dated June 18, 1986, legal when acted upon violation of The Federal Rules and Regulations for The State of Kansas when motion was from an out of state Oklahoma attorney with no standing before the court?

2. Was the Order of Dismissal in Appeal Case No. 87-1088 of the United States Tenth Circuit Court of Appeals in dismissing Notice of Appeal in violation of equal protection of the law in due process under Amendment 5, 7 and 14 of the United States Constitution?

3. Was a judicial decision bound by law under official oath and Article III, Section I in good behavior for services performed as public servants?

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AUTHORITIES

Marbury v. Madision

Constitution of the United States

Declaration of Independence

U.S.C. Tilte 28 Judicary and Judicial Procedure

Warren E. Burger - Bentham Club Lectures

STATEMENT OF GROUNDS FOR JURISDICTION

Grounds are equal protection of the law, regarding my sovereign citizens rights to life, liberty and property in due process in the courts of our land under Amendments 5, 7 and 14 of the United States Constitution. In the Tenth Circuit Court of Appeals case 87-1088 began in the Kansas Federal District Court of Kansas at Wichita as case 86-1184-K. My original complaint and cover sheet as a pro se stated:

"I demand a 12 man jury."

A right to a jury trial had been unlawfully dismissed in due process in the Federal District Court of Kansas. I paid a fee and contracted for a jury trial under Article I, Section 10, the courts were obligated to fairly administer the law impartially in due process.

Judgment and decree to be reviewed:

A. Order and Judgment filed April 23, 1987, Case No. 87-1088, before Anderson and Barrett, Circuit Judges, and Thompson, District Judge.

B. Order denying rehearing En Banc, May

Term, July 1, 1987, Case No. 87-1088.

The Supreme Court has jurisdictional grounds to protect all rights claimed by a complaint in the administration of due process under Amendment 5, 7 and 14 and statutory authority under Title 28, U.S.C., Section 1254(1) as well as U.S.C., Title 28, Supreme Court Rule 17.

RIGHTS CLAIMED UNDER CASE 87-1088
TREATIES - U.S. CONSTITUTION - STATUTES

Paris Peace Treaty, September 3, 1783 claimed all men are created equal and inalienable (unalienable) rights to life, liberty and the pursuit of happiness under the Declaration of Independence July 4, 1776.

Treaty Law Precedent, Article VI, Constitution, Declaration of Independence

"In Congress, July 4, 1776.
The Unanimous Declaration of
the thirteen united States of
America

When in the Court of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and Nature's God entitles them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, . . ."

Article VI, - U.S. Constitution

"Article VI

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmative, to support this Constitution; but no religious

Test shall ever be required as a Qualification to any Office or public Trust under the United States."

Bill of Rights - U.S. Constitution

"Amendment 5.

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty or property, without due process of law; nor shall private property be taken for public use without just compensation."

Amendment 7

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

Amendment 14 (Section 1)

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property without due process of law; nor deny to any

person within its jurisdiction the equal protection of the laws."

Statutes - U.S.C. Title 28

"Sec. 2072. Rules of civil procedure

The Supreme Court shall have the power to prescribe by general rules, the forms of process, writs, pleadings and motions and the practice and procedure of the district courts and courts of appeals of the United States in civil actions, including admiralty and maritime cases, and appeals therein, and the practice and procedure in proceedings for the review by the courts of appeals of decisions of the Tax Court of the United States and for the judicial review or enforcement of orders of administrative agencies, boards, commissions and officers.

Such rules shall not abridge, enlarge or modify any substantive right and shall preserve the right of trail by jury as at common law and as declared by the Seventh Amendment to the Constitution."

Statutes - U.S.C. Tilte 28

F.R.Cv.P. - Rule 38 (In part)

"Rule 38. Jury Trial of Right

(a) Right Preserved. The right of trial by jury as declared by the Seventh Amendment to the Constitution or as given by a statute of the United States shall be preserved to the parties inviolate."

Rights Guaranteed - By Official Oath
Constitution - Statutes

Under Article VI all judges are bound by Official Oath in due process.

U.S. Constitution Article III
Section I (In part)

". . . supreme court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the Supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at states Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office."

U.S.C. Tilte 28 - Section 453

"453. Oaths of justices and judges.

Each justice or judge of the United States shall take the following oath or affirmation before performing the duties of his office: 'I, _____, do solemnly swear (or affirm) that I will administer justice without respect to persons and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as _____ according to the best of my abilities and understanding, agreeably to the Constitution and laws of the United States. So help me God.'"

"The constitutional oath:

I do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic, that I will bear true faith and allegiance to the same, that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter."

STATEMENT OF THE CASE
APPEAL NO. 87-1088 TENTH CIRCUIT

The Order and Judgment of Dismissal was a contradictory, self-nullifying order in due process.

Appeal case 87-1088 was dismissed in due process out of order in the sequence of events in time of due process by the Tenth Circuit Court of Appeals. Grounds for dismissal was that Notice of Appeal was filed "one day late" in the Federal District Court of Kansas at Wichita. Order of Dismissal stated that under Fed. R. App. P. 4(a)(1) a file date of January 13, 1987 was one day late. The Notice of Appeal was stamped filed with a one day grace period remaining under F.R.Cv.P., U.S.C. Title 28, Rule 6 (a & e) certifying a date of January 14, 1987 as the last day under Fed. R. App. P. 4(a)(1). The act of stamping the file date was the controlling point of law under F.R.Cv.P., Rule 6 (a)(e) performed by the Federal District Court of Kansas. Time was the foundation principle of law cited for dismissal of order and judgment in due process by Tenth Circuit Court of Appeals.

The order and judgment first set case 87-1088 for hearing without oral argument in due process of law. The Court then reversed time and procedure in the same order in due process. Dismissing case 87-1088 on the grounds of time in the filing of Notice of Appeal. The question on which the grounds of dismissal were based had been rendered moot, null and void by ordering case set for hearing.

When the court set case 87-1088 to be heard by written argument. This dismissal in due process was a violation of my rights to be heard by a jury under Amendment 7, U.S.C. Tile 28, Section 2072 and Rule 38 of the F.R.Cv.P.

BASIS FOR FEDERAL JURISDICTION
IN THE FEDERAL DISTRICT COURT OF KANSAS

The original complaint filed in the Federal District Court of Kansas involved land in Cowley County, Kansas. Commercial property on the edge of Arkansas City, Kansas. Undeveloped property valued in excess of one million dollars. Property covered by a land patent based on an act of Congress of April 24, 1820. This property was managed for me by Paul E. Northcutt, an Oklahoma attorney,

who was my attorney for ten years, who co-signed notes with me at the Home National Bank in Arkansas City, Kansas. Helen L. Northcutt, wife of Paul E. Northcutt now owns this undeveloped property in question worth over a million dollars. We are all residents of the State of Oklahoma, but the subject matter, undeveloped property, is located in Kansas. All land in these United States was acquired by treaty. All land patents can be traced directly to treaty law. U.S.C. Title 28, Section 1331 states:

Federal question:

> "The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws or treaties of the United States."

U.S.C. Title 28, Section 1354 states:

> "Land grants from different states, the district courts shall have original jurisdiction of actions between citizens of the same state claiming lands under grants from different states."

ARGUMENT

THE ORDER AND JUDGMENT OF TENTH CIRCUIT COURT OF APPEALS IN CASE 87-1088, DATED APRIL 23, 1987, WAS A CONTRADICTORY, MOOT ORDER OF DISMISSAL. ORDER WAS IN ERROR. THE ORDER IS A VIOLATION OF MY RIGHTS IN DUE PROCESS AND MY ORIGINAL COMPLAINT AS FILED UNDER AMENDMENTS 5, 7 and 14 OF THE

UNITED STATES CONSTITUTION.

This dismissal denied my rights in the Federal District Court of Kansas at Wichita to be heard and judged by a jury or to collect default judgments from the defendants. The order of dismissal issued by Judge Patrick F. Kelly against my original complaint in the Federal District Court denied my right to a jury trial under Amendment 7, U.S.C. Tile 28, Rule 38 of F.R.Cv.P; and Section 2072 of U.S.C. Title 28. This Order of Judge Patrick F. Kelly was based on an illegal motion entered by an out-of-state attorney from Oklahoma, Paul E. Northcutt, who had no standing before the Federal District Courts of Kansas, who entered into the Federal District Courts of Kansas on behalf of his wife, his law firm and himself.

This was in strict violation of The Federal Rules and Regulations of The District of Kansas. Rules state an out-of-state attorney has to enter with a Kansas attorney who is registered on the roll of records and fees paid. Otherwise they will be repremanded and punished by the court. (Paul E. Northcutt broke the law.)

Instead Paul E. Northcutt was rewarded by receiving a (very illegal) dismissal. This deprived me of a jury trial plus default judgments. Therefore, his wife, Helen L. Northcutt was allowed to keep the over one million dollars of undeveloped property which through power, conspiricy, money, connections and politics they stole from my family and myself. (No constitutional protection or law was applied whatsoever).

Also, Judge Patrick F. Kelly broke the law by dismissing this illegal motion and breaking his own Federal District Court Rules for Kansas. He also broke the oath he took under God to protect "We the people" rights, Amendment 14 and to give me equal protection of the law.

This dismissal in due process involves federal questions of property, money and civil rights under Amendment 7. My inviolate right to a jury trial and under Amendment 14 equal protection of the law (providing default judgments due me).

The dismissal, order and judgment, dated April 23, 1987, in appeal case 87-1088 was dismissed out of order in the sequence of events

in time of due process by the Tenth Circuit Court of Appeals. Grounds for dismissal was that notice of appeal was filed in the Federal District Court of Kansas "one day late", on January 13, 1987. Order of dismissal stated that under Fed. R. App. P. 4(a)(1) a file date of January 13, 1987 was one day late.

Rule 6(e) of F.R.Cv.P., Title 28, U.S.C. states:

> "Additional time after service by mail. Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, 3 days shall be added to the prescribed period."

Rule 6 under which the Federal District Court of Kansas filed Notice of Appeal certifies a date of January 14, 1987 as the last day for filing. Fed. R. App. P. 4(a)(1) and 28 U.S.C. Sec. 2107 would have to honor the rules of the Federal District Court of Kansas under which the clerk stamped the file date of January 13, 1987.

The Notice of Appeal was mailed first class, certified mail by return receipt, on Saturday,

January 10, 1987 from Winfield, Kansas, to the Federal District Court at Wichita, Kansas, a distance of 40-50 miles. Under F.R.Cv.P., U.S.C. Title 28, Rule 77 states the "District Courts always open".

Under Rule 77 when placed the U.S. Mail, first class, the Notice of Appeal was filed on January 10, 1987. A check dated January 10, 1987 was enclosed as payment of fees under obligation of contract Article 1, Section 10 of the Constitution. The check insured a time of filing of January 10, 1987.

Why the Notice of Appeal was not marked filed on Monday, January 12, 1987, but on Tuesday, January 13, 1987, is a question for the Clerk of Federal District Court. When first class mail took 3 days to travel 40-50 miles is a moot question, by filingin U.S. mail under Rule 77.

"Order and Judgment" of dismissal begins:

> After examining the briefs and the appellate record, this three-judge panel has determined unanimously that oral argument would not be of material assistance

in the determination of this appeal. See Fed. R. App. P. 34(a); 10th Cir. R. 34.1.8 (c) and 27.1.2. The cause is therefore ordered submitted without oral argument."

At this point in "time" the question of "time" of "notice of appeal" filing became a "moot question." The Court had assumed irrevocable "jurisdiction" as understood by the "words."

"The cause is therefore ordered submitted without oral argument."

Order and Judgment ends by stating:

"It is well established that a timely notice of appeal is both mandatory and jurisdictional. Browder v. Director, Dept. of Corrections, 434 U.S. 257, 264 (1978). It clearly appears from the record that plaintiff-appellant's notice of appeal was not filed within the time permitted by the rule and statute. Accordingly, we conclude that we are without jurisdiction. The motion to dismiss is granted.

The appeal is dismissed.

The mandate shall issue forthwith."

Former Chief Justice Warren E. Burger, in a lecture he delivered regarding Marbury v. Madison (1803) at the annual Bentham Club Lecture at the University of London, stated:

"Another interesting footnote to Mr. Marbury's case is that after 10,000 words more or less, Marshall held that the court had no jurisdiction of the case since the statute purporting to create jurisdiction was

void. So we have perhaps, the most important single opinion of the court in nearly 200 years pronounced in the context of a holding that the court had no jurisdiction at all. From this, of course, we authoritatively conclude that the court always has jurisdiction to decide its own jurisdiction."

Certainly the appellate court is not the supreme court and its jurisdiction is marked out in terms of location and time. The court decided its own jurisdiction. When it claimed jurisdiction under the phrase:

"The cause is therefore ordered submitted without oral argument."

The 10th Circuit Court of Appeals (to borrow words from Chief Justice Warren E. Burger) had authoritatively concluded its jurisdiction and any "late contradictory order" would be "out of order" in "time". Time governs all acts of man, and is the"foundation of law". The rest of the order is rendered moot by a prior "commitment in time" by the Court.

The last phrase "in the judgment and Order":

Judges are bound by oath to honor my rights to a jury trial and the administration of law in due process under Article III, Section I, services

are to be rendered under oath; that is good behavior.

John Marshall states in Marbury v. Madison (1803):

> "From these and many other selections which might be made, it is apparent that the framers of the Constitution contemplated that instrument as a rule for the government of courts, as well as of the legislature. Why otherwise does it direct the judges to take an oath to support it? This oath certainly applies in an especial manner, to their conduct in their official character. How immoral to impose it on them if they were to be used as the instruments and the knowing instruments for violating what they swear to support."

This order and judgment of dismissal was in error by time and the sequence of events in time. The case law upon which dismissal was based cited a criminal case that obviously had a trial and hearing by law. I am not a criminal and I never received my right to a jury trial as required by law. The rules of filing notice of appeal and the time limit of 30 days are based on having had a jury trial of right. My right to a jury trial once claimed in my complaint is a life time right under the Constitution. Limited in time only by my death. Because I never received in the Federal District Court of Kansas my guaran-

teed right to a jury trial, my procedural right to appeal based on time cannot be limited or used as grounds for dismissal in appeals court. This is due process of law and equal protection of the law under Amendments 5 and 14, the question of time of filing notice of appeal is moot in due process.

Since this case is definitely of PUBLIC IMPORTANCE, STATE, INTERSTATE AND NATIONAL, because it does affect all citizens of the United States of America (We the People). This case proves that "We The People" are not being protected under the United States Constitution as we are guaranteed.

When power, money and politics control our lower courts, the average, middle class, had working, honest citizen has no way to enter our Supreme Courts for the protection of their civil rights and freedom under the Constitution.

Their is no way in which an average, middle class, hard working, honest American Citizen(who is not a criminal) can receive his or her God given Civil Rights and freedom under God and the Constitution.

The rights automaticaly guarantees to all American citizens by the United States Constitution.

"The Land of Equal Opportunity and the Land of the Free, We the People".

I am a lady 65 years of age. I have worked hard all my life. I have lost nearly everything due to power, money and politics that have not been protected in the dishonest lower judicial system. These things cause us American citizens to be very afraid and forcing us to live like communists. We have no Civil Rights or freedom and leaves us a ward of the state.

I pray you will give back to the middle class American citizens our equal rights in our lower courts so we can live and work in the deep, rich soil of America. Let us become true Americans again. Citizens deserve humane rights, freedom, dignity, peace of heart and mind with freedom for all. Human dignity and respect is due to all American citizens.

I hope and pray you will give this matter your utmost consideration (For the benefit of all American citizens), that each person may be

protected under the United States Constitution and enjoy their civil rights and freedom.

Thank you very much and may God bless you and direct you in your decision.

DATED:

Clara C. Bullard

CLARA C. BULLARD, PRO SE
Counsel Ordained by
Constitution
R.R. #2, Box 428
Luther, Oklahoma 73054
(405) 277-3643

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

On this 9th day of November, 1987, personally appeared before me, a Notary Public in and for said County and State, CLARA C. BULLARD, known to me to be the person who executed the foregoing document, who did so freely and voluntarily and for the uses and purposes therein mentioned.

Linda Brown

NOTARY PUBLIC

LINDA BROWN
Notary Public - State of Nevada
CLARK COUNTY
My Appointment Expires Aug. 31, 1989

APPENDIX CASE 87-1088

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Orders of Dismissal Tenth Circuit Court of Appeals:

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Filed 4/28/87
United States Court of Appeals
Tenth Circuit
Robert L. Hoecker, Clerk
By: /s/ Angel Whitter, Deputy

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

CLARA C. BULLARD,	)	
	)	
Plaintiff/Appellant,	)	No. 87-1088
	)	(D.C. No. 86-1184)
vs.	)	(D. Kan.)
	)	
HELEN L. NORTHCUTT; PAUL E. NORTHCUTT; NORTHCUTT, RALEY, CLARK & GARDNER, attorneys,	)	
	)	
Defendants/Appellees.		

ORDER AND JUDGMENT

Before Anderson and Barrett, Circuit Judges, and Thompson, District Judge.*

*The Honorable Ralph G. Thompson, Chief Judge, United States District Court for the Western District of Oklahoma, sitting by designation.

After examining the briefs and the appellate record, this three-judge panel has determined unanimously that oral argument would not be of this appeal. See Fed. R. App. P. 34(a); 10th

Cir. R. 34.1.8(c) and 27.1.2. This cause is therefore ordered submitted without oral argument.

This is an appeal from an order of the district court directing the clerk of that court to return papers tendered for filing by plaintiff-appellant on a closed case. The matter is before the court on defendants-allellees' motion to dismiss for lack of jurisdiction and plaintiff-appellant's response thereto.

The order appealed from was entered December 11, 1986. Assuming, without deciding, that the challenged order was appealable, the period prescribed by Fed. R. App. P. 4(a)(1) and 28 U.S.C. Sec. 2107 for filing a proper notice of appeal expired on January 12, 1987. Plaintiff's notice of appeal was filed on January 13, 1987. An extension of time to file a notice of appeal pursuant to Fed. R. App. P. 4(a)(5) was neither sought nor granted in the district court.

It is well established that a timely notice of appeal is both mandatory and jurisdictional. Browder v. Director, Dep't of Corrections, 434 U.S. 257, 264 (1978). It clearly appears from

the record that plaintiff-appellant's notice of appeal was not filed within the time permitted by the rule and statute. Accordingly, we conclude that we are without jurisdiction. The motion to dismiss is granted.

The appeal is DISMISSED.

The mandate shall issue forthwith.

ENTERED FOR THE COURT
PER CURIAM

Attest: A true copy

RALPH L. DeLOACH, Clerk

BY /s/: R. Thompson
Deputy

May Term - July 1, 1987

Before Honorable William J. Holloway, Jr., Chief Judge, Honorable James E. Barrett, Honorable Monroe G. McKay, Honorable James K. Logan, Honorable Stephanie K. Seymour, Honorable John P. Moore, Honorable Stephen H. Anderson, Honorable Deanell Reece Tacha, and Honorable Bobby R. Baldock, Circuit Judges, United States Court of Appeals, and Honorable Ralph G. Thompson, Chief Judge, United States District Court for the Western District of Oklahoma*

CLARA C. BULLARD, Plaintiff-Appeallant, vs. HELEN L. NORTHCUTT; PAUL E. NORTHCUTT; NORTHCUTT, RALEY, CLARK & GARDNER, attorneys, Defendants-Appellees.	)	No. 87-1088

This matter is before the court on appellant's petition for rehearing with suggestion for rehearing en banc.

The materials submitted by appellant have been reciewed by the members of the hearing panel who conclude that the original disposition was

correct. Accordingly, the petition is denied on the merits.

The petition having been denied on the merits by the panel to whom the case was submitted and no member of the panel or judge in regular active service on the court having requested that the court be polled, the suggestion for rehearing en banc is denied.

The motion having been denied on the merits by the panel to whom the case was submitted and no member of the panel or judge in regular active service on the court having requested that the court be polled, the suggestion for rehearing en banc is denied.

/s/Robert L. Hoecker, Clerk

*The Honorable Ralph G. Thompson, Chief Judge, United States District Court for the Western District of Oklahoma, sitting by designation.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

CLARA C. BULLARD, Plaintiff, vs. HELEN L. NORTHCUTT; PAUL E. NORTHCUTT; AND NORTHCUTT, RALEY, CLARK & GARDNER, Defendants.	)	No. 86-1184-K FILED: June 18 1986 Ralph L. DeLoach, Clerk BY s/ Thompson, Deputy

ORDER OF DISMISSAL

The court has taken up the motion of defendants to dismiss the plaintiff's complaint.

Plaintiff Clara C. Bullard has filed her complaint pro se alleging in part that she is a resident of Oklahoma, and that each defendant is a resident of Oklahoma. By reason thereof, this court simply does not have, nor will it entertain, jurisdiction in the matter.

IT IS ACCORDINGLY ORDERED this 18th day of June, 1986, that this matter should be and is hereby dismissed without prejudice.

/s/ Patrick F. Kelly
PATRICK F. KELLY, JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

CLARA C. BULLARD, Plaintiff, vs. HELEN L. NORTHCUTT, PAUL E. NORTHCUTT, and NORTHCUTT, RALEY, CLARK & GARDNER, Defendants.	)	No. 86-1184-K FILED Aug 05 1986 Ralph L. DeLoach, Clerk BY s/ Thompson, Deputy

MEMORANDUM ORDER

The court has now reviewed plaintiff's motion to reinstate this matter by overruling the court's order of dismissal entered June 18, 1986. The court has reviewed the contents of plaintiff's motion and remains convinced that she is a resident of Oklahoma, and that each defendant named in her action is also a resident of Oklahoma. In light of this circumstance, this court simply does not have, nor will it entertain, jurisdiction in the matter.

IT IS ACCORDINGLY ORDERED this 5th day of August, 1986, that plaintiff's motion to reinstate this matter should be and is hereby overruled.

/s/ Patrick F. Kelley
PATRICK F. KELLEY, JUDGE

ATTEST: A true copy
RALPH L. DeLOACH,
Clerk

BY; /s Thompson,
Deputy

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

CLARA C. BULLARD	)	
	)	
vs.	)	Civil Action No.
	)	86-1184
HELEN L. NORTHCUTT, et al.	)	
	)	FILED: Dec 11 1986

Ralph L. DeLoach,
Clerk
BY s/ Thompson,
Deputy

O R D E R

The court has been advised that the plaintiff in this action continues to present various motions and pleadings for filing even through an Order of Dismissal was filed June 18, 1986, plaintiff's motion to reinstate this matter was overruled August 5, 1986, and the time for filing a notice of appeal has expired.

IT IS ORDERED that the Clerk return forthwith any further pleadings presented in this action.

/s/ Patrick F. Kelly
PATRICK F. KELLY,
JUDGE

UNITED STATES SUPREME COURT
TERM BEGINNING OCT 5, 1987

CLARA C. BULLARD,	)
	)
Appellant/Petitioner,	)
	)
vs.	)
	)
HELEN L. NORTHCUTT, PAUL E. NORTHCUTT, NORTHCUTT, RALEY, CLARK & GARDNER,	)
	)
Appellees/Respondents.	)

NOTICE OF APPEARANCE PERSONALLY
PRO SE U.S.C. 28, SEC. 1654,
ALL U.S. COURTS

The Clerk of United States Supreme Court is hereby notified that under U.S.C., 28, Supreme Court Rules, that there are no Rules of Procedure to follow for a honest, hard working, middle class citizen to personally represent one's own interest before the Supreme Court as a Pro Se in a civil action. I am not forma pauperis under Rule 46 of Supreme Court Rules or as a criminal entering Pro Se. But, like most tax paying, middle class citizens, I cannot afford to hire an attorney. Most attorney's fees are prohibitive in

costs. There is no way in a civil case in the U.S. Supreme Court, no procedure for entering Pro Se, and claiming Constitutional civil Rights when denied these rights in Federal District and Appellate Courts. One has to be either very rich and hire an attorney, poor, or a criminal under present Rules of Procedure. The Supreme Court has no procedures or rules for personal self representation as a citizen or Pro Se.

All government functions require an official oath to God as a promise to protect Humane Rights under the U.S. Constitution. Members of the bar of the Supreme Court (Rule 5) are required to take an oath.

The Clerk of the Supreme Court is hereby given notice, this 25th day of September, 1987, that I, Clara C. Bullard will act as Pro Se counsel under Sec. 1654, Title 28, U.S.C., and does enter my Notice of Appearance, that I have taken an oath as a sovereign citizen and a declaration as a sovereign citizen to act as Pro Se counsel that a copy and supporting documentation is attached to this Notice of Appearance. That this

oath was taken by law and is recorded in the Register of Deeds of Cowley County in Winfield, Kansas.

Clara C. Bullard

CLARA C. BULLARD Pro Se
Counsel Ordained by Constitution
R.R. #2, Box 428
Luther, Oklahoma 73054
(405) 277-3643

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

On this 9th day of November, 1987, personally appeared before me, a Notary Public in and for said County and State, CLARA C. BULLARD, known to me to be the person who executed the foregoing document who did so freely and voluntarily and for the uses and purposes therein mentioned.

Linda Brown

NOTARY PUBLIC

LINDA BROWN
Notary Public - State of Nevada
CLARK COUNTY
My Appointment Expires Aug. 31, 1988

Page 1 thru 2 (page 2 attached Official Oath and Declaration of Sovereignty)

JR Book 106, page 513

Clara C. Bullard
R.R.2, Box 428
Luther, Oklahoma 73054

TO PROTECT MY CONSTITUTIONAL RIGHTS TO PROPERTY

As guaranteed by amendment 14 of the Constitution of the United States of America.

Property Description:

Lots 1 and 2, Block 2 Poplar Heights located at 1123 North First Street in Arkansas City, Kansas.

Filed in the Register of Deeds Office Cowley County, Winfield, Kansas

Exhibit "A" attached (Official Oath and Declaration of Sovereignty.)

Date: July 17, 1986

/s/ Clara C. Bullard
Clara C. Bullard
R. R. 2, Box 428
Luther, Oklahoma

Clara C. Bullard being properly identified before me, did sign this foregoing official oath in my presence of her own free will. Subscribed and sworn to under God on this 17th day of July, 1986.

/s/ Treva J. Harrod
Notary Public

OFFICIAL OATH Exhibit "A"

AND

DECLARATION OF SOVEREIGNTY

Oath of a Sovereign Citizen

/s/ I, CLARA CORDELIA BULLARD, under my full Christian signature, do solemnly swear that I will support the Constitution of the United States and Constitution of the State of Oklahoma and Kansas and to faithfully honor my obligations, and duties as a unique, individual, sovereign citizen under Almighty God. "So Help Me God."

DECLARATION OF A SOVEREIGN PERSON

I do claim in "person" all of my "inalienable Rights" as guaranteed in the "Declaration of Independence" as honored "before All Men" in the "Treaty of Paris." "Inalienable Rights" as "Decreed" by my Creator, the Laws of Nature, and Nature's God enacted on Earth by the Holy Spirit and certified in written record, "The Holy Bible" as the Law of God. These "Inalienable Rights." I do claim by my signature in Law.

Two Witnesses Required by God Date My Signature

/s/ Kaye Kelley 7/15/86 Clara C. Bullard

/s/ Ruth Kelley 7/15/86 Clara C. Bullard

Clara C. Bullard being properly identified before me, did sign this foregoing official oath in my presence of her own free will.

Subscribed and sworn to under God on this 17th day of July, 1986.

Sworn and Subscribed by:

/s/ Clara C. Bullard
R. R. #2, Box 428
Luther, Oklahoma 73054

My Commission Expires:

2/14/87

/s/Treva J. Harrod
Notary Public

This document was administered by laying the Right hand upon the "Holy Bible", reading the oath and Decaration of Sovereigty before two witnesses, and by uplifted Right hand before a Notary Public.

JR Book 106, page 514

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 10th day of November 1987, a true and correct copy of the above and foregoing Writ was deposited in the United States mail, by certified first class mail, return receipt, postage prepaid, correctly addressed to the following:

Cleve W. Powell
Northcutt, Raley, Clark & Gardner
Attorneys at Law
Fourth Floor
Frontier Federal Building
Ponca City, Oklahoma 74601

United States Court of Appeals
10th Circuit
Office of the Clerk
C 404 U.S. Courthouse
Denver, Colorado 80294

Clara C. Bullard
Clara C. Bullard

NOTICE OF FILING SUPREME COURT

I, Clara C. Bullard, Pro Se, have filed this document by placing in the U.S. mail, first class, postage prepaid, to the Clerk of the U.S. Supreme Court as required by U.S.C Title 28 and Rule 28.2 of Supreme Court Rules this

10th day of November, 1987.

Clerk of the Supreme Court
First Street Northeast
Washington, D.C. 20543

Clara C. Bullard
Clara C. Bullard
Pro Se Counsel
Before bar of U.S.
Supreme Court